G. R. S. 58]

*Previous references.*

File No. 28 of 88

Serial Nos. 1 - 2

191

( S.R. )

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

58

*Serial Nos.* 1 - 2

**Part B for 1888.**

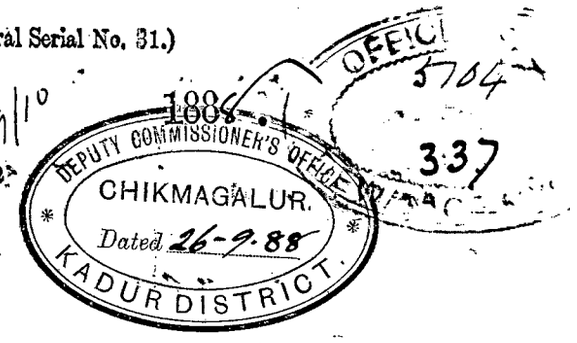
SUBJECT.

Subsply of water to the coffee estate of Rahima Khan. Emmadoddi Villages in Kasur taluk.

W D 1351—GPB—20,000—13-12-15

Indexed

(General Serial No. 31.)




From

To

*The Chief Secretary to the Dewan*
*of Mysore.*

Section L.R
File No 28 of 88
Serial No 1

*Dated*

*Despatched* 27th September

*Received*

**Enclosures No.**

*General No.* 267 } 1888.
*No.*

Sir

With reference to the Proceedings of the Dewan No. 902-3 dated 25th May 1887 sanctioning a Special permanent rate of one Rupee per acre for the Coffee lands of Yemme Doddi Kan in the Kadur Taluk, I have the honor to submit for the orders of Government Copies of the marginal correspondence between this Office and

×1. This Office No 6938 of 11th Sept. 1888 to the Supt. Revenue Survey.
1. His reply No 447 of 21st Sept. 1888.

the Superintendent of Revenue Survey, defining the proprietor's liability to the payment of water rate.

Vernacular correspondence as per Serial attached is also enclosed for information and obliging return.

I have the honor to be
Sir,
Your most obt. Servant

Macaffill Col.
Deputy Commissioner
Kadur District

it should be at the rate of 2 as. an acre for 75 acres.

4

V

He says that before he acquired the Estate a "Madabai" called the Bhoond Kan Madabai had been constructed for the use of the Estate to supply it a sowdi of water. that no charge was ever made for this water. that he does not ask for more than the present supply and that it will hereafter be effectually controlled and regulated by means of the sluice which the Engineer Department is about to fix at the several Madabais along the line.

I do not think that it has before been prominently brought to notice that the right of the Estate to a limited supply of water has been recognized from the documents noted in the margin and for the fact that a Madabai called the "Bhoond Kan" actually exists.

Under these circumstances I am disposed to recommend that no water cess should now be levied but that the Title deed should contain a

Col Ryhman
Petition of 30th Nov 1865
to Madras Select.
1985 of 1/3 dated
the Sale Deffe-
Ryhman Kan's
to the Coffee
mm 2:- Nov 1865.
0.
dated 6th July 1865.
2 677 of 20th
ch 1865.
of Madabai's
ffl. 1865.
15-3-65
15-4-65
30-4-65.

that if any portion of the estate is used for rice or sugar cane cultivation, water cess will be imposed on the extent of land so cultivated.

The papers noted in the margin are forwarded for information.

I have &c

"Signed" J. A. Campbell Col

Deputy Commr &c

Abdul Rhyms petition to Sup of 12th Apl.

Statement August 19

"copy"

Col

Deputy Commissioner

Kadur District

Jud.

No. 693

Office of the Deputy Commr.
Kadur District

Chickmagalur 5th September 1888.

To

The Superintendent, Rev: Survey.
Mysore

Sir,

I have the honor to bring the following to your notice and to request your opinion

In this office No. 2111 dated 22 March 1887, Mr. Meiklejohn in forwarding to you a petition from Abdul Rhyman Khan of Yemmay Doddy Kan praying that as a Special case one rupee might be fixed as a permanent rate added" this Estate is planted below the Muddaik Channel & if the Estate is given a permanent assessment a clause should be entered that if channel water is ever taken "Nirkarti" in addition to the permanent rate will be charged, as otherwise the whole Garden might eventually if Coffee was found unprofitable be turned into rice land at a rupee an acre which would be an unfair rate.

that if any portion of the Estate is used for rice or Sugar Cane cultivation, water cess will be imposed on the extent of land so cultivated.

The papers noted in the margin are forwarded for information.

I have &c

"Signed" J. A. Campbell Col.

Deputy Commr

Kadur Distt

Abdul Rhyman's petition to Guilds dt 12th Apl 1888.

Statement dt 20th August 1888.

Copy

Campbell Col

Deputy Commissioner

Kadur District

Mud

it should be at the rate of 2 as. an acre for 75 acres.

He urges that before the acquired the Estate a Madabai called the Bhoond Kan Madabai had been constructed for the use of the Estate to supply 1/2 a Sowdi of water. that no charge was ever made for this water. that he does not ask for more than the present supply, and that it will hereafter be effectually controlled and regulated by means of the pipes which the Engineer Department is about to fix at the several Madabais along the Channel

I donot think that it has before been prominently brought to notice that the right of the Estate to a limited supply of water has been recognized as appears from the documents noted in the margin and for the fact that a Madabai called the "Bhoond Kan" actually exists.

Under these circumstances I am disposed to recommend that no water cess should now be levied, but that the Title deed should contain a condition

that

X.
A. Copy of Abdul Rahiman Kan's petition of 30th Nov. 1872 to the Kudur Collr.
B. " order No: 1985 of 1/3 December 1872 to the Nala Daffedar.
C. " Abdul Rahiman Kan's petition to the Coffee Asstt Commr.- Nov. 30th 1880.
D. " " order dated 6th July 1881.
E. " do No. 677 of 20th March 1865.
F. " List of Madabays of 3d Apl. 1865.
G. " order of 15-3-65
H. " " of 15-4-65
I " Villa of 30-4-65.

Your reply No. 56 dated 16th April 1887 contained no comment on the above, but when the question was referred to Govern-ment the order fixing the permanent rate at one Rupee was "subject to the condition of liability to water rate if Government water so utilized to any extent in any shape. This condition should be expressly inserted in any Title deed issued for the Coffee land in question."

In the course of carrying out these orders certain Canarese Correspondence took place ending with your office No. 2128 dated 2nd July 88 in which you ~~said~~ ~~that~~ after receiving certain information as to the extent of the land to be watered you would fix the Cess according to neighbouring garden rates.

These water rates are said to run from 12 annas to 2½ Rs per acre, and the Amildar has submitted a Statement from Abdul Rhyman in which he prays that the water Cess may not be imposed, or if imposed that it

No. 447.

Survey Superintendent's Office
Bangalore 21st September 1888.

To

The Deputy Commissioner
Kadur District

Sir,

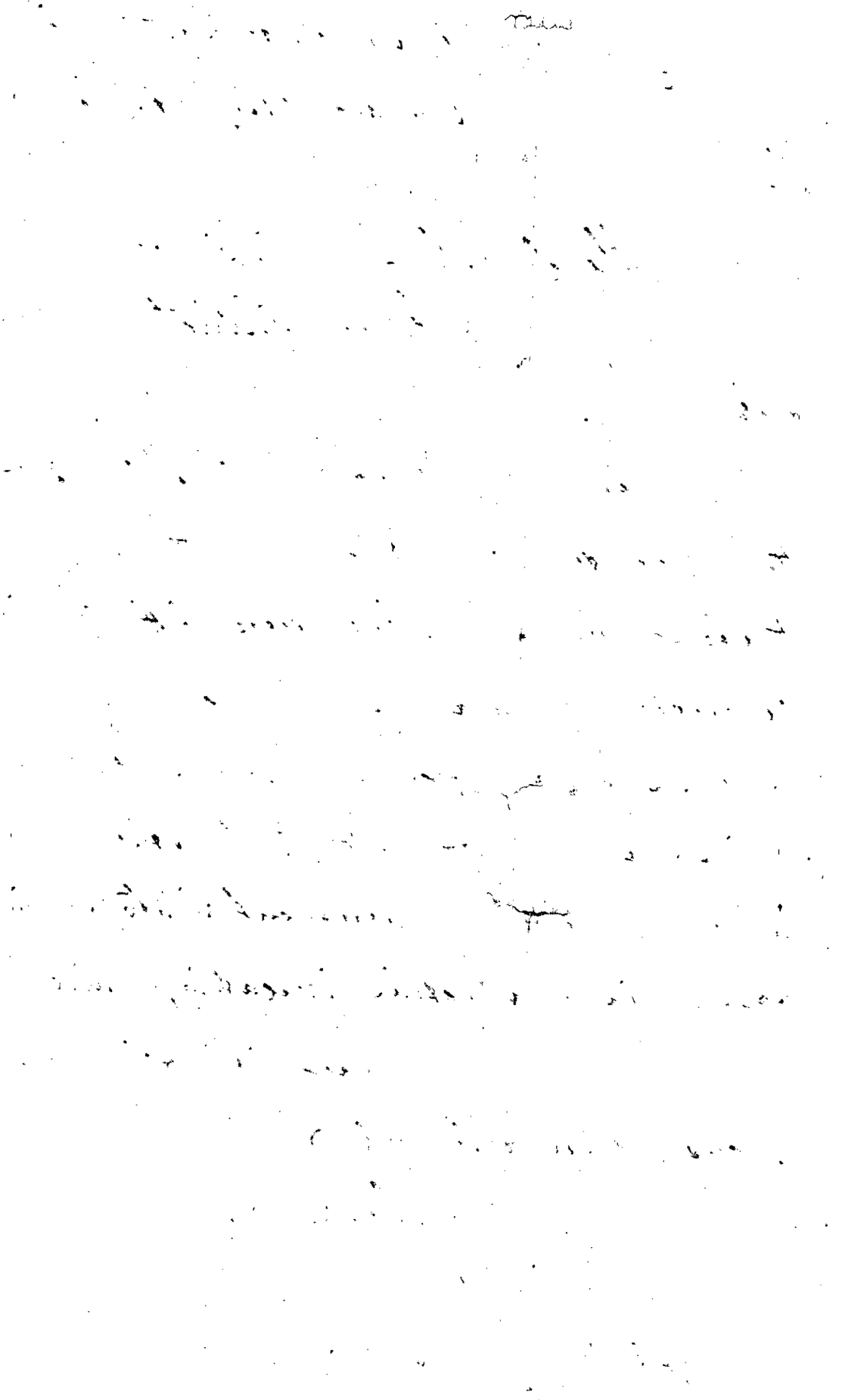
In reply to your letter No. 693 of the 11th September 1888, I have the honor to state that I entirely agree with the view expressed at para 8 of your letter under reply. The use, free of charge, of the recognized supply of water to the Estate will in no way injure Government rights, as involved in prospective irrigation, while no principle of any kind is infringed. (Enclosures are returned).

I have &c.

"Signed" J. P. Grant
Superintendent
Mysore Rev: Survey.

"Copy"

Macaulay Col.
Deputy Commissioner
Kadur District



[illegible] 1

[illegible] 1-[illegible]-88

1/4/88 [illegible] 822

[illegible] 1888 [illegible] 12 [illegible]

[illegible]

ಅಲ್ಲಿಂದ ಪೂರ್ವಕ್ಕೆ ಸರ್ವೆ ನಂ 65 ಹಿಡಿಸಿಗೆ ಸೇರಿದ ಕೆರೆಯ ಕೋಡಿಯ ಮೇಲೆ ಸಾಗಿ ಅಲ್ಲಿಂದ ಉತ್ತರಕ್ಕೆ ಸರ್ವೆ ನಂ 65 ಹಿಡಿಸಿಗೆ ಸೇರಿದ ಕೆರೆಯ ಕೋಡಿಯ ಮೇಲೆ ಸಾಗಿ

[illegible] 20,000 [illegible]

3-4 [illegible]

[illegible]

[illegible] 20-25 [illegible]

[illegible]

[illegible] 24 [illegible]

[illegible] 16 [illegible]

[illegible] 1872 [illegible]

[illegible] 1985 [illegible]

[illegible] 1880 [illegible] 30 [illegible]

[illegible] 81 [illegible] 655 [illegible]

[illegible]

[illegible] 65 [illegible] 20 [illegible] 677 [illegible]

[illegible]

No 2442

Col.
Commissioner
District

4.

[illegible]

9-10-11 [illegible]

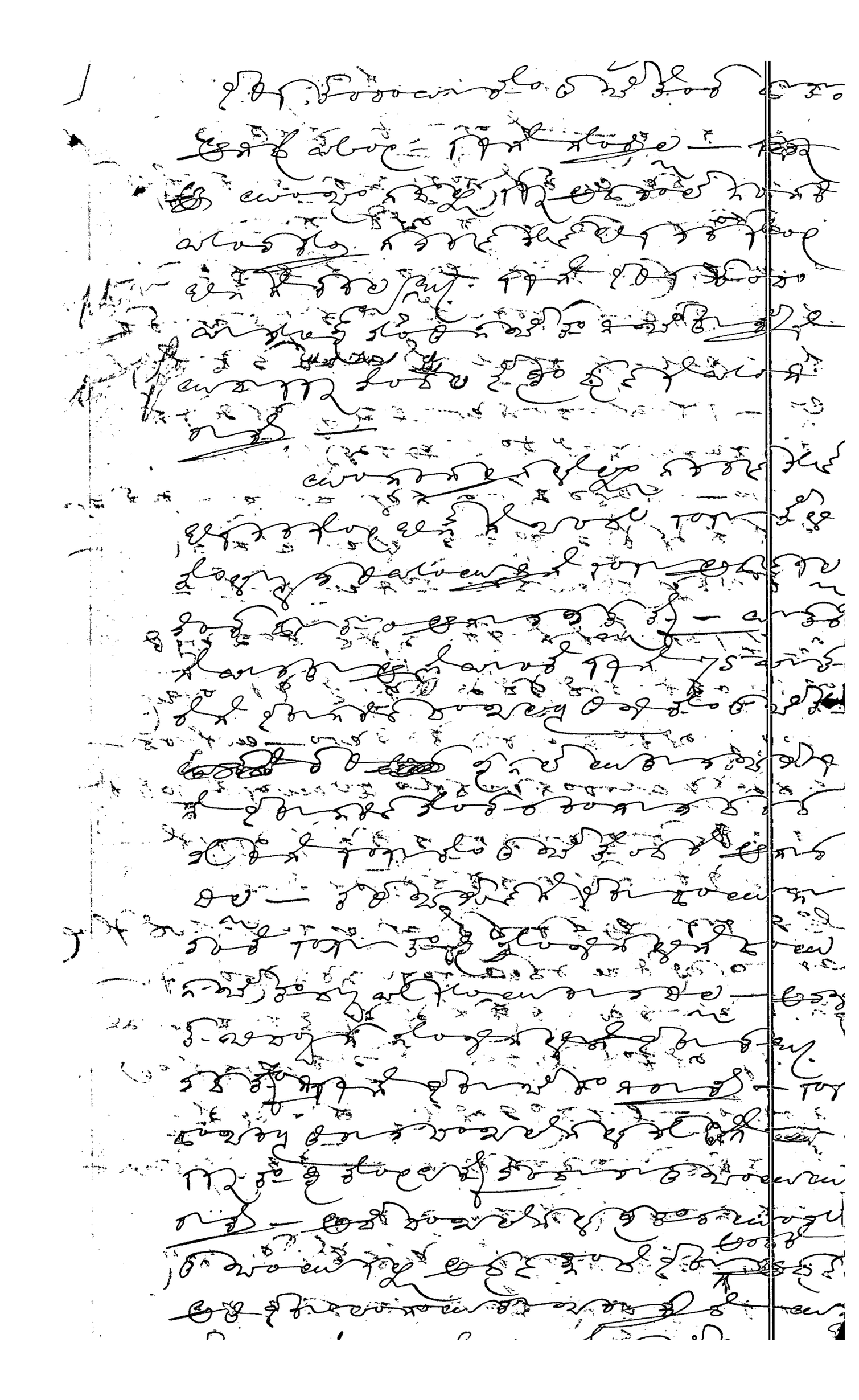
[illegible]

3-4-5-

206

| ಕ್ರ.ಸಂ. | ಹೆಸರು | ತಂದೆಯ/ಗಂಡನ ಹೆಸರು | ಮನೆ ಸಂಖ್ಯೆ | ವಯಸ್ಸು | ಲಿಂಗ | ಸಂಬಂಧ | ಉದ್ಯೋಗ | ಮಾಸಿಕ ಆದಾಯ | | ಮತದಾರರ ಗುರುತಿನ ಚೀಟಿ ಸಂಖ್ಯೆ |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | ಅಂಕಿಗಳಲ್ಲಿ | ಅಕ್ಷರಗಳಲ್ಲಿ | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 15 | 16 | 17 |
| 1 | | | | 3 | | | | 118-28 | 119 | 65 |
| 2 | | | | 4 | | | | 15-18 | 15 | 10 |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 |
| | | | | | | | | | | | |
| | | | | | | | | | | | |



COURT FEE EIGHT ANNAS

30

A

COURT FEE

EIGHT ANNAS

13-12-87

(1)

13-12-87

20-12-87

29-3-88

2-0-0

0-1-0

C

3

13-12-87

11-2-88

29-3-88

8-0-0

0-7-0

7

COURT FEE

EIGHT ANNAS

D

1881 - ಮಾರ್ಚ್ 29

4

13-12-87

11-2-88

29-3-88

2

10

01

93

COURT FEE

EIGHT ANNAS

[illegible] — —

[illegible] — 13-12-87

[illegible] — 12-2-88

[illegible] — 29-2-88

[illegible] — 0-3-6

[illegible] — 0-0-6

[illegible]

COURT FEE

EIGHT ANNAS

COURT FEE

EIGHT ANNAS

7

13-12-87

29--2-88

29-3-88

0-1-0

0-6-0

Proceedings of the Dewan of Mysore

Read.—

Letter No. 42 dated 27th April 1887, from the Deputy Commissioner of the Kadur District, submitting for orders copy of correspondence with Superintendent of Revenue Survey, in regard to Abdul Rahiman Khan's application that his Coffee land known as Yemmadoddi Kan in the Kadur Taluk may be assessed permanently at one Rupee per acre.

—"—

Order thereon No. 902-5/217 of Bangalore, 25 May 87.

The inferior Coffee lands of Yemmadoddi Kan in the Kadur Taluk may, as a special case, be assessed permanently at Rupee one per acre, as recommended by the Deputy Commissioner and the Superintendent of Revenue Survey, but subject to the condition of liability to water-rate, if Government water is utilized to any extent or in any shape. This condition should be expressly inserted in any Title Deed issued for the Coffee land in question.

Sd/ C. Madiah

for Chief Secretary

"

Copy

Manuscript Col.

Dy. Commissioner

13

15

50

31-8-88

38-5-22

13-12-87

EIGHT ANNAS

1197

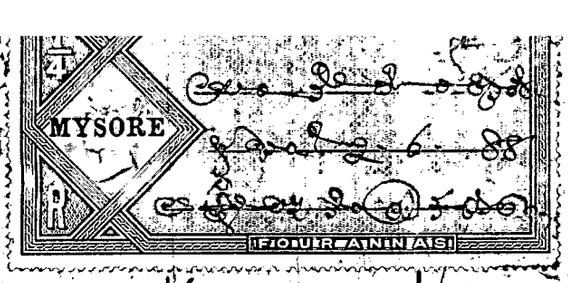
91

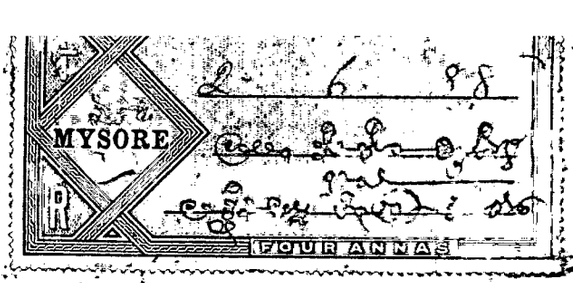
13-12-88

88-12-22

88-8-22

88-8-16






I no 16 69 1

The Deputy Comr Kadur District

Respected Sir,

The humble petitioner Abdul Rahman Khan coffee planter of Ommy Doddi Kop Kadur Taluk most respectfully beg to inf your honor with the following few lines

Before soliciting my humble requ I think it better to bring to your kind notice, that all coffee Estates in Mysore Province has sufficient supply of jungly water to answer their wants of planters such as drinki pulping & irrigating nurseries, but as the planter + of Ommy Doddi has not fortunate to have a supply of jungly water, and the rain fall being very little, he was favoured with a "Mudwai flowing a "Soodee" water from Kadish channel which is govts property

Now I have to solicit that the rain fall

in Kadur Taluk as well as in Emmy Boodi being quite unsufficient for coffee cultivation Mr. F. D. Hepper the orignal planter of Emmy Boodi Kon, and also all the following planters used the water of said Mudwai to their young coffee plants during the drought season of the year, likewise the humble petitioner also enjoyed the same since the year 1872 up to date.

There being always a great scarcity of grass in Emmy Boodi Kon, and coffee trees yielding no good crop, upon my solicit, and kind recommendation of Deputy Comr., it has been sanctioned by the govt as a special case, that my inferior coffee land should be assesed permanently at one Rupee per acre, but subject to water rate if govt water is utilized. As I, like those of my former cultivaters was enjoying the right of watering my coffee plants when there was no rain immediately after planting, hearing the above liability of water rate, applied to the Amildar, on 11-4-88 presenting some refrences showing that I had a right to water my coffee plants, praying him

To bring again to the notice of Govt the matter of my using water to my coffee plants

from a long period of 36 years out of the Khayem Mudwai, and to recommend to exempt me from that liability of water rate if I use water to my Coffee plants as a past
Custom of 36 years.

2. Secondly, if Govt after perusing all refrences, on account of my bad luck, it is not so generous to grant me my most humble & needful request of using water to the Coffee plants without a additional Neersurdee as past 36 years at least, to fix 2 Rus an acre as a Special water rate to the esclent of 75 Acres of my Coffee land.

With all my request + I was told by the Amildar that the Survey Supt is willing to asses my inferior Coffee land equal to the best land of the Taluk.

Now it is easy to think that how hard it would be for me to pay an assessment as best land to my inferior Coffee land which being unprofitable is generously assesed as a special case at 1 Rupee an acre removing ½ a Rupee out of permanent assessment.

I do not think that my inferior Coffee land can give a good crop by

+ to my great misfortune

irrigation; it is not possible to water the whole Estate by the small quantity of ½ Cowdee water. Neither it is necessary to irrigate the Coffee land as often as other wet land, nor, I wish to take Govt. water more than what is granted to me as gratis to keep up my Coffee plants.

I believe that the liability of water rate, in my Case, may have been entered in Govts proceeding only at the time when Govt water be taken for other Crop, or if such liability be applied for Coffee land, either it shall give me a great damage that can not be sustained by any way or it shall oblige me to give up the land after a heavy expences & Credit. Govt made

I do not remember that any objection to take water for Coffee trees from my Mudwai at any time during past 3.6 years. When so, how strange it would be that if my inferior Coffee land, be assesed as wet land as proposed by Survey Supt. By so doing heavy the Govt shall put a fresh load upon humble Ryot who is favored with a reduction of ½ a Rupee an acre in his proper assesment.

I am sure that the generous Govt.

is not of that opinion. They would not impose any water rate for the water granted as gratis from a long period of 36 years, without their objection at any time only to protect their humble subject

There is reason to believe that some correspondance regarding the water rate may have been occured when G. H. Meikle Esq Deputy Com^r recommended that my coffee land may be assessed at one Rupee an acre, upon which the liability of water rate now in question has been stated in the Dewan's proceedings. However this liability of water rate shall be clearly known to your honor peruse the correspondance held on that time. At the same time I beg of your honor to see all the refrences produced by me with my petition to the Assistant on the 11-4-88, and also to just a look at the Deed of Sale executed between me & Mr H. Mascell of Bombay dated 19th April 1872, showing that I have purchased almost all the rights including water &c which he had to enjoy

presented with this

When it will be clearly came to know to your honor's kind consideration that that liability of water rate for my land was only at the time if coffee land be taken into other "Taree crops; that

my land is very inferior for coffee cultivation; and that owing to the scarcity of rain & there being no other supply of gungly water, a small supply of water from Madurk Channel has been granted as rates to preserve the young coffee trees since about 36 years without any objection; then your honor can consider that my solicit to escempt me from the liability water rate was a fare one.

Therefore I most humbly solicit to take all my prayers into your kind & generous Consideration and recommend both Survey Supt & govt to grant me that solicited protection of escempting me from the above liability of water rate if a "Sowdee" + water be taken as a "Tamoot" of 36 years preserve my coffee trees & drinking &c.

I Myself Confess & agree to pay a Peersurdee in addition to my permanent assessment the coffee land be taken into other ^Tree crop, though such is not a rule for other ^assessed permanent land holders.

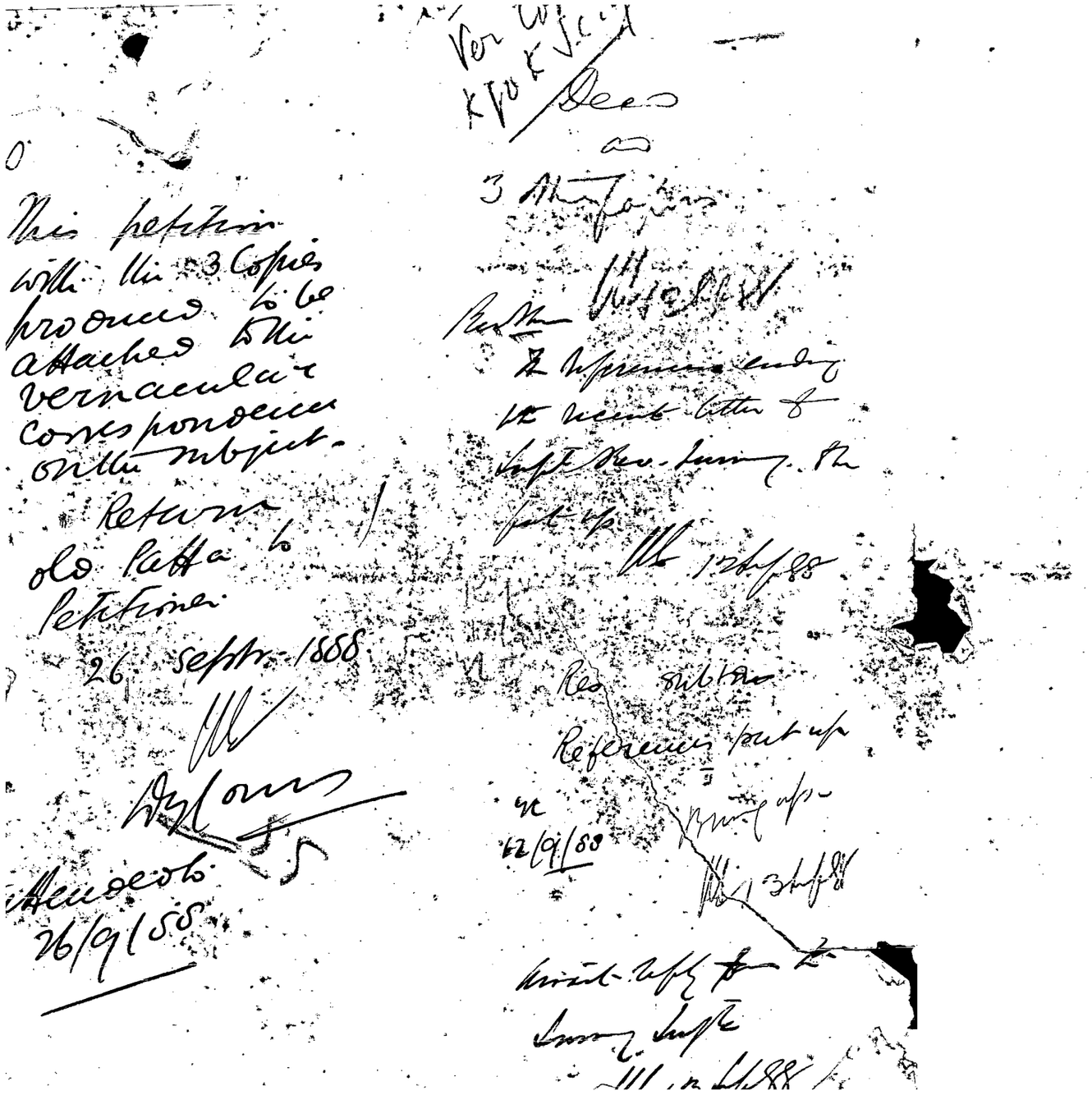
By this act of kindness I shall ever pray for your honors long life & prosperity & shall live in such a bad & drought place by the present means of livelihood.

I beg to remain, respected Sir, your

Most humble Royet

Dated 12 Sepr. 1888

Abdul Rahman Khan



Proceedings of the Government of Mysore

Read letter No. 267 of 27th September 1888 from the Deputy Commissioner Kadur District

Read again Dewan's Proceedings No. 902-3/27 of 25th May 1887.

---

Order thereon No. 6602-4/201

Bangalore 2nd September 1890

Q.

In the Dewan's Proceedings No. 902-3/27 of 25th May 1887 it was ordered that the inferior coffee lands of Yennadoddee Kan in the Kadur Taluk may as a special case be assessed permanently at one Rupee per acre as recommended by the Deputy Commissioner and the Survey Superintendent, but subject to the condition that the lands shall be liable to pay a water rate if Government water were utilized to any extent or in any shape.

2. Abdul Rahman the owner of the lands in question represents that the estate has always enjoyed a limited supply of water from a sluice on the Government

58 "to the requirements of wet and garden 58
"lands dependent on the Government
"channel which commands them."

P. Mandal
Chief Secretary

copy Encl

To The Deputy Commr. Kadur
Distt.
" Survey Superintendent
" Secretary D.P.W. for information

59

SECRETARY'S OFFICE
REG'D. NO. 4697
10 SEP. 90
MYSORE P.W.D. DEPT.

Section
File No. 28486 LR
Serial No. 2

59

Transmitted with 2 copies of letter

DEPUTY COMMISSIONER'S OFFICE
REGD. NO. 222
CHICKMAGALUR
DATE 14/9/90
MAJOR DISTRICT MYSORE P.W.D.

No. 4289 Exec: one.

Forwarded in original to the Exec: Engineer, Kadur Division for information and return.—

Chief Engineer &
Secretary.

Bangalore
12th Sept/90

Retain copy of letter

SECRETARY'S OFFICE
REG'D. NO. 4890
19 SEP. 90
MYSORE P.W.D.

14/9

Memo no. 1693 dated 19.9.90.

Has the honor to return herewith the same after retaining a copy thereof.

Executive Engineer
Kadur Division

Received 19/9/90

Clerk in charge

57

Government madak channel which commands a portion of it and that the water has been utilized strictly for purposes connected with coffee culture, for which indeed a limited supply of water is necessary. The Deputy Commissioner has been in communication with the Survey Superintendent on the subject, and these Officers support the representation.

3. Under the circumstances now brought to notice the Government of His Highness the maharaja are willing to allow the usual and limited supply of water for Estate use without Extra charge, but no rice or garden crops should of course be raised with the aid of the water so allowed. On this understanding Government direct that the orders of 25th may 1887 be read as if the following words were inserted after the word "shape" viz.

"beyond the limited supply which the "Estate has hitherto enjoyed on portions "of Survey Nos 3 & 4 strictly for purposes "of Coffee cultivation only, and as far "as this may be possible without prejudice